IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Crl.Rev.Pet.No. 2073 of 2007()

CRA.121/2002 of ADDL. SESSIONS COURT (ADHOC-II), THALASSERY
CC.918/2001 of ADDL.CHIEF JUDICIAL MAGISTRATE COURT, THALASSERY

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REVN. PETITIONER: APPELLANT/ACCUSED

E.K.HARIDASAN, S/O.KUNHIRAMAN NAMBIAR,
AGED 47 YEARS, EDAKKALAVAN KOROTH HOUSE,
VILAMANA, IRITTY P.O., MADATHIL VIA,
KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. M.K.THAMPAN, S/O.KUNHIKANNAN,
MAYILAPRAVAN VEEDU, NUCHIYAD,
P.O.PARIKKALAM, KANNUR DISTRICT.

2. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSEUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2073 of 2007

Dated this the 29th day of May, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one month and to pay a compensation of Rs.15,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for fifteen days.

2. It is submitted that the revision petitioner stands convicted in three other cases also. Hence, the counsel for the revision petitioner has sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted three months' time from today onwards to remit the compensation amount. He shall appear before the Additional Chief Judicial Magistrate Court, Thalassery on 30.8.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 30.8.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl